

Exhibit K

Matthew Wood

From: Matthew Wood
Sent: Friday, February 21, 2025 1:36 PM
To: Lomeo, James John; PANDA-Genius_23-cv-00471; SportsCastr
Cc: #GeniusSports-SportsCastr
Subject: RE: PANDA v. Genius Sports - Discovery

Hi Jim,

Your email seems to suggest that PANDA's previous productions were somehow deficient for failing to produce documents related to PANDA CUB. PANDA does not assert that PANDA CUB embodies the Asserted Patents, and Genius has not articulated any reason why PANDA CUB would otherwise be relevant to its asserted patent claims. Of course, given the new allegations in the Third Amended Complaint, we agree that PANDA CUB is now relevant to this action. We will produce the documents you describe as to PANDA CUB. We expect Genius to likewise produce "all documents concerning 'the making using, selling, or offering for sale' of any product in the Tied Market or Tying Markets, including all 'pitches, draft agreements, documents showing whether/why sportsbooks pursued or did not pursue any further commercial relationship with [Genius].'"

You appear to be referencing email communications, which are subject to the ESI order. However, we think given your email, that it would be in both parties interest to separately agree to produce all communications with all sportsbooks and all sports leagues, regardless of whether an email is subject to the ESI Order. Please let us know in writing if you agree and when Genius expects to be able to complete that production. We will do the same.

Finally, it is not clear from your email whether you expect confirmation that PANDA will produce all documents or the production of all such documents by February 24, 2025. In case you mean the later, this request is unreasonable and contrary to Genius's own refusal to provide dates certain for production of documents prior to the substantial completion date. Subject to your agreement regarding the above, we will work to search for and produce these documents in a timely manner.

Regards,

Matthew Wood
Senior Associate

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From: Lomeo, James John <james.lomeo@kirkland.com>
Sent: Friday, February 21, 2025 12:16 PM
To: PANDA-Genius_23-cv-00471 <PANDA-Genius_23-cv-00471@KSLAW.com>; SportsCastr <SportsCastr@CJSJLAW.com>
Cc: #GeniusSports-SportsCastr <GeniusSports-SportsCastr@kirkland.com>
Subject: PANDA v. Genius Sports - Discovery

CAUTION: MAIL FROM OUTSIDE THE FIRM

Counsel,

In July 2024, Genius Sports asked PANDA to produce all documents concerning “the making using, selling, or offering for sale by PANDA of any product [] or system for practicing any of the subject matter described, disclosed, or claimed in the Asserted Patents and ’088 Patent.” See 7/24/2024 Ltr. from J. Lomeo. On February 13, 2025, the Genius Sports Defendants asked PANDA to “confirm that PANDA has searched for and produced all other agreements between PANDA and any sportsbook, and that PANDA has searched for and produced any related materials such as pitches, draft agreements, documents showing whether/why sportsbooks pursued or did not pursue any further commercial relationship with PANDA, as well as all documents regarding PANDA’s integration with sportsbooks.” 2/13/2025 Ltr. from J. Lomeo. PANDA has repeatedly represented its document production is substantially complete and that it produced all non-privileged documents responsive to our requests. 1/22/2025 Ltr. from M. Wood at 5 (“PANDA believes its document production is substantially complete.”); 11/13/2024 Ltr. from M. Wood at 5 (“PANDA therefore considers its document production substantially complete.”). Despite PANDA’s representations, its Third Amended Complaint makes clear that PANDA has had communications with sportsbooks regarding its attempts to sell its products to sportsbooks. For example, PANDA claims [REDACTED]

Id. ¶¶25,

26. Does PANDA have documents relating to these discussions?

Please confirm that PANDA will produce all documents referencing communications between PANDA and any sportsbook, including any related materials such as pitches, draft agreements, documents showing whether/why sportsbooks pursued or did not pursue any further commercial relationship with PANDA, as well as all documents regarding PANDA’s integration with sportsbooks by February 24, 2025.

Thanks,
Jim

James John Lomeo

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